EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-2024-PST-E **TCEQ ID:** RN101466712 **CASE NO.:** 31791

RESPONDENT NAME: SNSSS Enterprises, Inc. dba Blalock Food Mart

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	X_PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
SITE WHERE VIOLATION(S) OCCURR TYPE OF OPERATION: Convenience stor	ED: Blalock Food Mart, 3102 Blalock Road, Houst e with retail sales of gasoline	con, Harris County
SMALL BUSINESS: X Yes	No	
OTHER SIGNIFICANT MATTERS: Ther facility location.	e are no complaints. There is no record of additiona	al pending enforcement actions regarding this
INTERESTED PARTIES: No one other that	an the ED and the Respondent has expressed an inter	rest in this matter.
COMMENTS RECEIVED: The Texas Reg	ister comment period expired on July 23, 2007. No	comments were received.
David Van Soest, Enforcement Div Respondent: Mr. Sultanali Prasala Road, Houston, Texas 77080-2831	: Mr. Tom Greimel, Enforcement Division, Enforce	

DOCKET NO.: 2006-2024-PST-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED' Type of Investigation: Total Assessed: \$10,625 Corrective Actions Taken: Complaint X Routine The Executive Director recognizes that Total Deferred: \$2.125 ___ Enforcement Follow-up X Expedited Settlement SNSSS Enterprises has implemented the following corrective measures at the Records Review Station: Financial Inability to Pay Date(s) of Complaints Relating to this a. Submitted documentation to the TCEO **SEP Conditional Offset: \$0** Case: None Houston Regional office contractor verifying successful implementation of a Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$218 method of release detection for the UST (the remaining \$8,282 to be paid in 41 monthly Case: November 3, 2006 system on November 21, 2006; payments of \$202 each) Date of NOE Relating to this Case: b. Successfully conducted the required November 26, 2006 (NOE) **Site Compliance History Classification** annual testing of the Stage II equipment on __ High ___ Average _X Poor November 15, 2006; Background Facts: This was a routine investigation. Six violations were **Person Compliance History Classification** c. Repaired the rectifier box, began # documented. __ High ___ Average _X Poor conducting bimonthly inspections of the impressed current cathodic protection WASTE Major Source: Yes X No system to ensure that the rectifier and the other system components are operating 1) Failure to monitor USTs for releases at a Applicable Penalty Policy: September 2002 properly, and successfully conducted frequency of at least once every month (not triennial testing of the cathodic protection to exceed 35 days between each system on November 9, 2006; and monitoring). Specifically, the automatic tank gauge for the supreme tank was not d. Installed and securely anchored shear put into test mode at least once per month valves at the base of each dispenser on [30 Tex. ADMIN. CODE § 334.50(b)(1)(A) December 13, 2006. and Tex. WATER CODE § 26.3475(c)(1)]. 2) Failure to properly install and maintain a secure anchor at the base of each ULlisted emergency shutoff valve in a piping system in which regulated substances are conveyed under pressure to an aboveground dispensing unit. Specifically, it was observed that one of the shear valves was not anchored under dispenser nos. 1 and 2 [30 Tex. ADMIN. CODE § 334.45(c)(3)(A)]. 3) Failure to verify proper operation of the Stage II equipment at least once every 12 months. Specifically, annual testing of the Stage II equipment was not conducted [30] TEX. ADMIN. CODE § 115.245(2) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 4) Failure to provide proper corrosion protection for the UST system. Specifically, the rectifier box was off [30 TEX. ADMIN. CODE § 334.49(a) and TEX. WATER CODE § 26.3475(d)].

DOCKET NO.: 2006-2024-PST-E

5) Failed to inspect the impressed current cathodic protection system at least once every 60 days to ensure that the rectifier and other system components are operating properly. Specifically, bimonthly inspections of the corrosion protection system were not being conducted [30 Tex. ADMIN. CODE § 334.49(c)(2)(C) and Tex. WATER CODE § 26.3475(d)].	
6) Failure to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years [30 Tex. ADMIN. CODE § 339.49(c)(4) and Tex. WATER CODE § 26.3475(d)].	

Some the state of the state of

most to parametrizing outlier.

Less continues many destroyed destroyed to a continue of the continues of th

The state of the s

e de la composição de la composiç

Policy Revision 2 (Septe		naity (Jaiculatio	n Worksheet (F	•	ovember 15, 2006
TCEO	mbor zoozy				1 011 1(0110)111(370111001 10, 2000
DATES Assigned	27-Nov-2006				Mark State Control of the Control of	
PCW	28-Nov-2006	Screening	g 28-Nov-2006	EPA Due		·
RESPONDENT/FACILITY I	NFORMATION	Barrier and the same				
		ises, Inc. d	oa Blalock Food	Mart		
Reg. Ent. Ref. No.						
Facility/Site Region 1	2-Houston			Major/Minor Source	eMinor	
CASE INFORMATION				· · · · · · · · · · · · · · · · · · ·		
Enf./Case ID No.	1791	<u> </u>	<u> </u>	No. of Violation	ıs 4	1
i 🛏	006-2024-PST	-E		Order Typ		
Media Program(s)					Patricia Chawla	
Multi-Media		<u> </u>			m EnforcementTeam 7	
Admin. Penalty \$ Li	mit Minimum	\$0	Maximum	\$10,000		
		Pena	alty Calcula	ation Section		
TOTAL BASE PENAL	TY (Sum of v	violation	base penalti	es)	Subtotal 1	\$8,500
	· · · · · · · · · · · · · · · · · · ·	2 - 1 - 2 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -				37 25 50 50 50 50 50 50 50 50 50 50 50 50 50
ADJUSTMENTS (+/-) T	O SUBTOT	AL 1				
Subtotals 2-7 are obtaine	ed by multiplying the	e Total Base F		y the indicated percentage.		
Compliance Histor	<u>y </u>		35%	Enhancement Sul	ototals 2, 3, & 7	\$2,975
	Enhancement	for one NO	OV with same or	similar violations, one 1660)	
Notes			poor performer of			
L				The state of the s		
Culpability	No		0%	Enhancement	Subtotal 4	\$0
	Th					
Notes	The re	spondent	ioes not meet tri	e culpability criteria.		
		volvacioni il med		. don 1000-100-100-1000-1000-1000-100		
Good Faith Effort	The state of the s	NOV4- FDF	10%		Subtotal 5	\$850
	Before NOV	NOV to EDF	RP/Settlement Offer			
Extraordinary						
Ordinary N/A		(mode with w)				
IN/A -		(mark with x)			_	
Notes	The respor	ndent came	into compliance	on December 13, 2006.		
L L			-			
	an feelfeering on the Halander		0%	Enhancement*	Subtotal 6	\$0
	Total EB Amounts	\$2,396		d at the Total EB \$ Amount		
Approx. C	ost of Compliance	\$4,600				
	and the same of the same of				·	
SUM OF SUBTOTALS	1-7				Final Subtotal	\$10,625
				p. 104-31		
OTHER FACTORS AS	JUSTICE M	IAY REQ	UIRE		Adjustment	\$0
Reduces or enhances the Final Su	btotal by the indica	ted percentag	e. (Enter number on	ly; e.g30 for -30%.)		
Notes						
	-			Final F	Penalty Amount	\$10,625
	نده در استان است <u>نواندان و ورا را</u>	<u>.</u>		the second of th		
STATUTORY LIMIT A	DJUSTMEN	I		Final As	sessed Penalty	\$10,625

20%

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Reduction

Adjustment

-\$2,125

\$8,500

DEFERRAL

Notes

PAYABLE PENALTY

Screening Date 28-Nov-2006

Docket No., 2006-2024-PST-E

Policy Revision 2 (September 2002) PCW Revision November 15, 2006

Respondent SNSSS Enterprises, Inc. dba Blalock Food Mart

Case ID No. 31791

Reg. Ent. Reference No. RN101466712

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Patricia Chawla

Compliance History Worksheet

Comp			Enter Number Here	Adjust.	4
	NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1,,,,,	5%	្សស្រ រូបស្រ
	1	Other written NOVs	0	0%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1 - 0	20%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	044	0%	
	Judgments	Any non-adjudicated final court judgments of consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria.)	, 0	0%	
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	NGA
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0 0.00	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0 //	0%	
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	• O	0%	
		Pleas	se Enter Yes or No	,_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
		Environmental management systems in place for one year or more	, No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	. e
	Other	Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
	Little Comments	Adjustment P	ercentage (Sı	ıbtotal 2)	25
Repe		btotal 3)			in the second
	No	Adjustment P	ercentage (Si	ıbtotal 3)	0%
Comp	oliance History	Person Classification (Subtotal 7)		i Malyer	100 j. j. j.
	Poor Per	former Adjustment P	ercentage (Sı	ıbtotal 7)	10
Comp	oliance History	/ Summary			
	Compliance History Notes	Enhancement for one NOV with same or similar violations, one 1660 order, and poor p	performer	. * : ; ; [*]	[₹[*]
		Total Adjustment Percentage	(Subtotale 1	ו סיפים פים	25

Screening Date 28	3-Nov-2006	Docket No.	2006-2024-PST-E	PCW
	NSSS Enterprises, Inc. dba Bl	alock Food Mart	F	Policy Revision 2 (September 2002)
Case ID No. 31				PCW Revision November 15, 2006
Reg. Ent. Reference No. RN		,		
	etroleum Storage Tank			
Enf. Coordinator Pa	1 1			-
_				
Rule Cite(s)	30 Tex. Admin. Code § 334	4.50(b)(1)(A) and Tex.	Water Code § 26.3475(c)(1)
	ailed to monitor USTs for relea exceed 35 days between each the supreme tank was	monitoring). Specifical		
			Base Pe	enalty \$10,000
>> Environmental, Property and	Human Health Matrix			
	Harm			
OR Release Actual	Major Moderate	Minor 		
Potential	х		Percent 25%	
>>Programmatic Matrix Falsification	Major Moderate	Minor		
Faisincation	Major Moderate	Minor	Percent 0%	
	or the environment could be extive of human health or environment.			at are
		A	djustment \$	7,500
www.				\$2,500
Violation Events		Marine de la companya de la company	4.00 (4.00)	
Number of Violat	tion Events 1	18	Number of violation days	
Number of Violat	ion Events 1	10	Number of violation days	
	daily			
	monthly x			00.500
36/47	quarterly		Violation Base Pe	enalty \$2,500
	annual			
Si	ingle event			
·				
One monthly ev	vent is recommended from the 21, 2006	e November 3, 2006 inv 6 compliance date.	vestigation date to the Nove	mber
Economic Benefit (EB) for this	violation		Statutory Limit Test	
Estimated E	B Amount	\$4]	Violation Final Penalty	Total \$3,125
1 Terres about	TL:	violation First Ass	المستخدم المست	
	I his v	/ioiation Final Assess	sed Penalty (adjusted for I	imits) \$3,125

	E	conomic I	3enefit W	orks	sheet		
Case ID No.	31791	rises, Inc. dba Blald	ock Food Mart				
leg. Ent. Reference No. Media Violation No.	Petroleum Stor		•			Percent Interest	Years of Depreciation
Violation ive		ara di Per			The state of the s	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					in his	
Delayed Costs							
Equipment	22 22 22 22			0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	CVP THY JUNEAU	Lijking kagasys	Harris Miller II	0.0	\$0	\$0	\$0
Engineering/construction			in a contract of the contract	0,0	\$0	\$0	\$0
Land	24 31 21 31 41 42 42 43 44 4	والمرافعة والمنافي المرافعة الأرافية	alian aliana	0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	polici de la companya	I and the second		0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	3-Nov-2006	21-Nov-2006	0.0	\$4	n/a	\$4
Notes for DELAYED costs Avoided Costs		invest	gation and the Fir	nal Date	is the date of com	e Date Required is t opliance.	
Disposal				0.0	\$0	\$0	\$0
Personnel	11		\$1.000 miles 100	0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling	The state of the s	1 11 11 11 11 11 11 11 11 11 11 11 11 1		0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
				0.0	\$0	\$0	
ONE-TIME avoided costs [3]							\$0
ONE-TIME avoided costs [3]			Allanti jago figitori (j.	0.0	\$0	\$0	\$0 \$0
ONE-TIME avoided costs [3] Notes for AVOIDED costs							

- Alaba an respective and a respective section of

The control of the co

and the second (50° H, particular in a

Scr	eening Date	28-Nov-2006			Docket No.	. 2006-2024-PST-E		PCW
F	Respondent	SNSSS Enter	prises, Inc. dt	oa Blalock Foo	d Mart		Policy Rev	vision 2 (September 2002)
	Case ID No.						PCW Re	vision November 15, 2006
Reg. Ent. Re								
\$	dia [Statute]							
	Coordinator		/la I					
VIO	lation Number Rule Cite(s)	2					———————————————————————————————————————	
	Rule Oile(s)		30	Tex. Admin. (Code § 334.4	5(c)(3)(A)		

Violatio	on Description	shutoff val pressure to	ve in a piping an abovegrou	system in which in dispensing	ch regulated unit. Specif	ase of each UL-listed emer substances are conveyed ically, it was observed that dispenser nos. 1 and 2.	under	
						Base	Penalty	\$10,000
>> Environmenta	ıl, Property a	ind Human	**************************************	rix 🔒 👍	14.1			
	Release	Major	Harm Moderate	Minor		,		
OR	Actual							
15 1 2	Potential		X			Percent 10%		
>>Programmatic	Falsification	Major	Moderate	Minor				docolitación
484	Faisilication	Major	Moderate	Minor	ī	Percent 0%		-
基 計 基	IL	1		L	Ŋ	070		
(1) (1)								
Matrix Notes	11			•		oollutants which would not obtained as a result of the violation	31	
Notes	levels trial	are protective	or numarrie	aith of environ	illiental recep	otors as a result of the viola	ation.	
		NA 944 914 - 77 T T 77 T SW						
	A					Adjustment	\$9,000	
								\$1,000
								· ·
Violation Events				751 - 75 - 75		459 37-4		
0000	Number of Vio	olation Evanta	1	ī	25	Number of violation days	_	
***************************************	Number of vic	Diation Events	<u> </u>	<u>J</u>	23	Number of violation days	,	
		daily		1				
		monthly					_	
•	mark only one	quarterly	X			Violation Base	Penalty	\$1,000
	with an x	semiannual						
		annual single event						
'		onigio ovorit	<u> </u>	11				
disciplination of the control of the	One quarter	y event is reco		om the Novem 3, 2006 screen		nvestigation date to the No	vember	,
	L							
Economic Benef	it (EB) for th	is violation				Statutory Limit Tes	t eres in	
***************************************	Estimate	d EB Amount		\$1]	Violation Final Pena	Ity Total	\$1,250
****	•			This violation	r Final Δεερ	ssed Penalty (adjusted fo	or limite)	\$1,250
LOCUSTRALIANA HERVIR				THIS VIOLATION	i i iliai Asse	asca i chany (aujusteu ic	,, mms)[ψ1,200

Case ID No		rises, Inc. dba Blaid	ock Food Mart				
Reg. Ent. Reference No						anda Nejera	ay ay go sad
	Petroleum Stor	age Tank				Percent Interest	Years of
Violation No	. 2	ALEXANDER OF THE RESIDENCE OF THE PARTY OF T		Marketin Committee			Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ltem Description	1. No commas or \$	dischilippe etc	OF MARKETON	127			
Delayed Costs				1000			
Equipment	11 11 11 11 11 11 11		Mileles Donarde Victor	0.0	\$0	\$0	\$0
Buildings	and the standards	Esperanting a preparation		0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0,0	\$0	\$0	\$0
Land L	farfillatel in maje	Secretary Education		0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling			The second secon	0.0	\$0	n/a	\$0
Remediation/Disposal		, , , , , , , , , , , , , , , , , , ,		0.0	\$0	n/a	\$0
Permit Costs			2000	0.0	\$0	n/a	\$0
Other (as needed)	\$100	3-Nov-2006	13-Dec-2006]0.1	\$1	n/a	\$1
Other (as needed)		ost to properly insta	all and maintain a	nchors a		Date Required is the	
Notes for DELAYED costs	Estimated o	ost to properly insta invest	all and maintain a igation and the Fir	nchors a	at the Facility. The	Date Required is the policy of	ne date of the
•	Estimated o	ost to properly insta invest	all and maintain a igation and the Fir	nchors a	at the Facility. The	Date Required is the	ne date of the
Notes for DELAYED costs Avoided Costs	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering	at the Facility. The is the date of com	Date Required is the policy of	ne date of the
Notes for DELAYED costs Avoided Costs Disposal	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors and Date	at the Facility. The is the date of con item (except for	Date Required is the pliance. one-time avoided of \$0	ne date of the costs)
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors and Date	at the Facility. The is the date of com item (except for \$0 \$0	Date Required is the pliance. one-time avoided to \$0	ne date of the costs) \$0 \$0
Notes for DELAYED costs . Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors and Date	it the Facility. The is the date of comittem (except for \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided to \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering 0.0 0.0 0.0 0.0	it the Facility. The is the date of comittem (except for \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided to \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir ad costs before e	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir ad costs before e	nchors a nal Date ntering 0.0 0.0 0.0 0.0	at the Facility. The is the date of com item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated of	ost to properly insta invest	all and maintain a igation and the Fir ad costs before e	nchors a nal Date ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	Date Required is the pliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 28	8-Nov-2006	Docket N	No. 2006-2024-PST-E	PCW
the control of the co	NSSS Enterprises, Inc. dl	ba Blalock Food Mart	Į.	Policy Revision 2 (September 2002)
Case ID No. 3				PCW Revision November 15, 2006
Reg. Ent. Reference No. R				Palan Kanada da
	etroleum Storage Tank			200-20-20-20-20-20-20-20-20-20-20-20-20-
Enf. Coordinator P				
Violation Number Rule Cite(s)	3			
Rule Cite(s)	30 Tex. Admin. Code §	§ 115.245(2) and Tex. H	ealth & Safety Code § 382.085(b	o)
Violation Description			equipment at least once every e II equipment was not conducte	
			Base Pe	enalty \$10,000
>> Environmental, Property an	d Human Haalth Mai	triv		
ZZ Environmental, i Toperty an	Harm	LILA		***************************************
Release	Major Moderate	Minor		
OR Actual		·	_	
Potential	X		Percent 25%	
>>Programmatic Matrix		* 15 Section 4 2		
Falsification	Major Moderate	Minor		
			Percent 0%	
	ould exceed levels that a		uld result in the release of gasol ealth or environmental receptor	
		24 CH 1 Sec. 1	Adjustment \$	6 7,500
				\$2,500
				Ψ2,000
Violation Events				
Number of Viele	dian Evanta	1		
Number of Viola	ition Events 1	377	Number of violation days	
	daily	1		
	monthly			
mark only one	quarterly		Violation Base Pe	enalty \$2,500
with an x	semiannual			
	annual x			
	single event	<u>]</u>	.	
	-1111-1	S	" " N N 0 000	
One annua	al event is recommended	investigation date.	preceding the November 3, 200	10
Economic Benefit (EB) for this	violation		Statutory Limit Test	
Estimated I	FB Amount	\$1,098	Violation Final Penalty	Total \$3,125
		¥.,500	Fiolación i mai i charty	
		This violation Final As	sessed Penalty (adjusted for I	imits) \$3,125
		医通讯性病 化多类		

Violation No. Item Description Delayed Costs	Item Cost	Date Required			tavesti i ci	1	Depreciation
Delayed Costs		The second secon				5.0	15
Delayed Costs	No commas or \$	The second secon	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs	die gennige en t	5 Meista					
				ME CAZO TEA	19 \$4 9 E \$45 N. W. STSTEEN APPLIEST		CPERSONS COLUMN
							Market .
Equipment				0.0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	A Contract of the Contract of			0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
	terretaria de la companya della companya della companya de la companya della comp		2.7		facetif is equ	la est a la Markisper	A Birecon
Notes for DELAYED costs	ANN	IIIAI ZE [4] avoid	ave tag	ntering i	* 1 m	With the Market	
Avoided Costs	ANN	IUALIZE [1] avoid	ed costs before e		Item (except for	one-time avoided o	costs)
Avoided Costs Disposal	ANN	IUALIZE [1] avoid	ed costs before e	0.0	Item (except for	one-time avoided o	:osts) \$0
Avoided Costs Disposal Personnel	ANN	IUALIZE [1] avoid	ed costs before e	0.0	tem (except for \$0 \$0	one-time avoided o	costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	IUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0	item (except for \$0 \$0 \$0	one-time avoided o	sosts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	IUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0 0.0	tem (except for \$0 , \$0 , \$0 , \$0 , \$0 , \$0	one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	iUALIZE [1] avoid	ed costs before e	0.0 0.0 0.0	item (except for \$0 \$0 \$0	one-time avoided o	sosts) \$0 \$0 \$0

And the commence of the decision of the commence of the commen

Screening Da		PCW
	nt SNSSS Enterprises, Inc. dba Blalock Food Mart	Policy Revision 2 (September 2002)
Case ID N Reg. Ent. Reference N		PCW Revision November 15, 2006
	e] Petroleum Storage Tank	
Enf. Coordinat	*** *	
Violation Numl	V. Special Control of the Control of	
Rule Cite	30 Tex. Admin. Code § 334.49(a), 334.49(c)(2)(C), and 339.49(c)(4) and Tex Code § 26.3475(d)	. Water
Violation Descript	Failed to provide proper corrosion protection for the UST system. Specifical rectifier box was off. Failed to inspect the impressed current cathodic protectic at least once every 60 days to ensure that the rectifier and other system com are operating properly. Specifically, bimonthly inspections of the corrosion pr system were not being conducted. Also, the cathodic protection system we inspected and tested for operability and adequacy of protection at a frequency once every three years.	n system ponents otection as not
	Base	Penalty \$10,000
>> Environmental, Propert	/ and Human Health Matrix Harm	· ·
Relea		
OR Act		
Poten	al X Percent 25%	
>>Programmatic Matrix		
Falsificati	n Major Moderate Minor	
	Percent 0%	
Matrix Notes Human h	ealth or the environment could be exposed to pollutants which would exceed levels protective of human health or environmental receptors as a result of the violation.	that are
	Adjustment	\$7,500
		\$2,500
Violation Events		
Number of	Violation Events 1 6 Number of violation day	'S
mark only o with an x	daily monthly x quarterly Semiannual annual single event Violation Base	e Penalty \$2,500
One mon	nly event is recommended based on documentation of the violation during the Nov 2006 investigation date to the November 9, 2006 compliance date.	ember 3,
Economic Benefit (EB) for	this violation Statutory Limit Tes	st.
Estima	ted EB Amount \$1,294 Violation Final Pena	alty Total \$3,125
	This violation Final Assessed Penalty (adjusted f	or limits) \$3,125
	y (as)	19,120

Economic Benefit Worksheet Respondent SNSSS Enterprises, Inc. dba Blalock Food Mart Case ID No. 31791 Reg. Ent. Reference No. RN101466712 Years of Media Petroleum Storage Tank Percent Interest Depreciation Violation No. 4 Yrs Interest Saved Onetime Costs Final Date EB Amount Item Cost **Date Required** Item Description No commas or \$ Delayed Costs Equipment Buildings 9-Nov-2006 0,0 0,0 0,0 Other (as needed) Engineering/construction 0.0 n/a 0.0 \$0 Record Keeping System 0.0 n/a 0.0 \$0 \$0 Training/Sampling n/a 0.0 Remediation/Disposal n/a 0.0 n/a Permit Costs Other (as needed) Estimated cost to repair or replace the rectifier box. The Date Required is the investigation date and the Final Notes for DELAYED costs Date is the date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Avoided Costs \$0 \$0 0,0 0.0 Personnel Inspection/Reporting/Sampling \$500 3-Sep-2006 9-Nov-2006 0.2 \$96 \$5 \$0 \$92 \$0 Supplies/equipment 0.0 Financial Assurance [2] ONE-TIME avoided costs [3] 0,0 \$1,000 Other (as needed) \$1,000

\$2,000

Notes for AVOIDED costs

Approx. Cost of Compliance

Estimated cost for bimonthly inspection of the cathodic protection system. The Date Required is the two months

prior to the investigation and the Final Date is the compliance date. Avoided cost for completing the triennial test.

The Date Required is three years before the investigation date and the Final Date is the date of compliance.

TOTAL

Compliance History

					•	
Customer/Resp	ondent/Owner-Operator:	CN602930125	SNSSS Enterprises, Inc.		Classification: POOR	Rating: 48.00
Regulated Entit	y:	RN101466712	BLALOCK FOOD MART		Classification: POOR	Site Rating: 48.00
ID Number(s):		AIR NEW SOUR PETROLEUM S' REGISTRATION	TORAGE TANK	ACCOUNT REGISTRA		HG6550D 20457
Location:		3102 BLALOCK	RD, HOUSTON, TX, 77080		Rating Date: September	er 01 06 Repeat Violator: NO
TCEQ Region:		REGION 12 - HC	USTON			
Date Compliand	ce History Prepared:	November 30, 20	06			
Agency Decision	on Requiring Compliance History:	Enforcement				
Compliance Pe	riod:	November 30, 20	01 to November 30, 2006			
TCEQ Staff Me Name:	mber to Contact for Additional Info		his Compliance History one: 512-239-0739			
		Site C	ompliance History Com	ponents		
1. Has the site	been in existence and/or operation	for the full five year	compliance period?	Yes		
	en a (known) change in ownership s the current owner?	of the site during th	e compliance period?	No N/A		
4. if Yes, who	was/were the prior owner(s)?			N/A		
5. When did th	e change(s) in ownership occur?			N/A		<u> </u>
Components	(Multimedia) for the Site :					
A. Fina	I Enforcement Orders, court judger	ments, and consent	decrees of the state of Texas	s and the federa	d government.	
	30 TAC Cha		ADMINORDER 2003- ter A 26.3475(a) ter C 334.50(b)(2)(A)(i)(III) or at least once per year for p		d operational reliability	
	Classification: Moderate			•	, , ,	

Citation: 2D TWC Chapte

2D TWC Chapter 26, SubChapter A 26.3475(c)(1)

30 TAC Chapter 334, SubChapter C 334.50(b)(2)(A)(ii)(I)

Description: Failure to conduct a piping test at least once per year for pressurized piping.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.3475(d)

30 TAC Chapter 334, SubChapter C 334.49(c)(2)(C)

30 TAC Chapter 334, SubChapter C 334.49(e)(2)(B)(i)

Description: Failure to check rectifier once every 60 days for impressed current systems.

Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter A 334.7(d)(3)

Description: Failure to provide amended registration for any change or additional information regarding USTs within 30 days from the date of the occurrence of the change or addition, or within 30 days of the date on which the owner or operator first became aware of the change or addition, as applicable. UST Registration form needs

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 10/15/2003 (250589)

2 03/20/2002 (249418)

3 08/30/2002 (249537)

4 11/26/2006 (519104)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 03/20/2002

(249418)

Self Report? NO

2D TWC Chapter 26, SubChapter A 26.3475(a)

Citation:

30 TAC Chapter 334, SubChapter C 334.50(b)(2)(A)(i)(III)

Description:

Citation:

Failure to test a line leak detector at least once per year for performance and

operational reliability.

Self Report? NO

Classification: Moderate

Classification: Moderate

2D TWC Chapter 26, SubChapter A 26.3475(c)(1)

30 TAC Chapter 334, SubChapter C 334.50(b)(2)(A)(ii)(I)

Description:

Failure to conduct a piping test at least once per year for pressurized piping.

Self Report? NO

Classification: Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.3475(d)

30 TAC Chapter 334, SubChapter C 334.49(c)(2)(C) 30 TAC Chapter 334, SubChapter C 334.49(e)(2)(B)(i)

Description:

Failure to check rectifier once every 60 days for impressed current systems.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 334, SubChapter A 334.7(d)(3)

Description:

Failure to provide amended registration for any change or additional information regarding USTs within 30 days from the date of the occurrence of the change or addition, or within 30 days of the date on which the owner or operator first became aware of the change or addition, as applicable. UST Registration form needs

Environmental audits. F.

N/A

Type of environmental management systems (EMSs). G.

N/A

Voluntary on-site compliance assessment dates. H.

Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SNSSS ENTERPRISES, INC. DBA	§	
BLALOCK FOOD MART	§	ENVIRONMENTAL QUALITY
RN101466712		

AGREED ORDER DOCKET NO. 2006-2024-PST-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SNSSS Enterprises, Inc. dba Blalock Food Mart ("SNSSS Enterprises") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and SNSSS Enterprises appear before the Commission and together stipulate that:

- 1. SNSSS Enterprises owns and operates a convenience store with retail sales gasoline at 3102 Blalock Road in Houston, Harris County, Texas (the "Station").
- 2. SNSSS Enterprises' three underground storage tanks ("USTs") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission. The Station consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Commission and SNSSS Enterprises agree that the Commission has jurisdiction to enter this Agreed Order, and that SNSSS Enterprises is subject to the Commission's jurisdiction.
- 4. SNSSS Enterprises received notice of the violations alleged in Section II ("Allegations") on or about December 1, 2006.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by SNSSS Enterprises of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Station, SNSSS Enterprises is alleged to have:

- 1. Failed to monitor USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring), in violation of 30 Tex. ADMIN. CODE § 334.50(b)(1)(A) and Tex. Water Code § 26.3475(c)(1), as documented during an investigation conducted on November 3, 2006. Specifically, the automatic tank gauge for the supreme tank was not put into test mode at least once per month.
- 2. Failed to properly install and maintain a secure anchor at the base of each UL-listed emergency shutoff valve in a piping system in which regulated substances are conveyed under pressure to an aboveground dispensing unit, in violation of 30 Tex. ADMIN. CODE § 334.45(c)(3)(A), as documented during an investigation conducted on November 3, 2006. Specifically, it was observed that one of the shear valves was not anchored under dispenser nos. 1 and 2.
- 3. Failed to verify proper operation of the Stage II equipment at least once every 12 months, in violation of 30 Tex. ADMIN. CODE § 115.245(2) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on November 3, 2006. Specifically, annual testing of the Stage II equipment was not conducted.
- 4. Failed to provide proper corrosion protection for the UST system, in violation of 30 TEX. ADMIN. CODE § 334.49(a) and TEX. WATER CODE § 26.3475(d), as documented during an investigation conducted on November 3, 2006. Specifically, the rectifier box was off.
- 5. Failed to inspect the impressed current cathodic protection system at least once every 60 days to ensure that the rectifier and other system components are operating properly, in violation of 30 Tex. Admin. Code § 334.49(c)(2)(C) and Tex. Water Code § 26.3475(d), as documented during an investigation conducted on November 3, 2006. Specifically, bimonthly inspections of the corrosion protection system were not being conducted.
- 6. Failed to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years, in violation of 30 Tex. ADMIN. CODE § 339.49(c)(4) and Tex. Water Code § 26.3475(d), as documented during an investigation conducted on November 3, 2006.

III. DENIALS

SNSSS Enterprises generally denies each allegation in Section II ("Allegations").

and the state of the second of

en de la composition La composition de la La composition de la

the second of a second of the early

en en distriction de la celebración de la company de l La company de la company d La company de la company d

AR BERT LEVEL OF THE RESERVE OF THE STATE OF

The first of the second of the

the configuration of the second control of t

and the second of the second o

6. An administrative penalty in the amount of Ten Thousand Six Hundred Twenty-Five Dollars (\$10,625) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). SNSSS Enterprises has paid Two Hundred Eighteen Dollars (\$218) of the administrative penalty and Two Thousand One Hundred Twenty-Five Dollars (\$2,125) is deferred contingent upon SNSSS Enterprises' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If SNSSS Enterprises fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require SNSSS Enterprises to pay all or part of the deferred penalty.

The remaining amount of Eight Thousand Two Hundred Eighty-Two Dollars (\$8,282) of the administrative penalty shall be payable in 41 monthly payments of Two Hundred Two Dollars (\$202) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If SNSSS Enterprises fails to timely and satifactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of SNSSS Enterprises to meet the payment schedule of this Agreed Order constitutes the failure by SNSSS Enterprises to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and SNSSS Enterprises have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that SNSSS Enterprises has implemented the following corrective measures at the Station:
 - a. Submitted documentation to the TCEQ Houston Regional office contractor verifying successful implementation of a method of release detection for the UST system on November 21, 2006;
 - b. Successfully conducted the required annual testing of the Stage II equipment on November 15, 2006;
 - c. Repaired the rectifier box, began conducting bimonthly inspections of the impressed current cathodic protection system to ensure that the rectifier and the other system components are operating properly, and successfully conducted triennial testing of the cathodic protection system on November 9, 2006; and
 - d. Installed and securely anchored shear valves at the base of each dispenser on December 13, 2006.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that SNSSS Enterprises has not complied with one or more of the terms or conditions in this Agreed Order.

andre service and the service of the The service of the service of

The second of the

general de la composition de la calabata de la cal La calabata de la ca La calabata de la ca

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that SNSSS Enterprises pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and SNSSS Enterprises' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SNSSS Enterprises, Inc. dba Blalock Food Mart, Docket No. 2006-2024-PST-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon SNSSS Enterprises. SNSSS Enterprises is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Station operations referenced in this Agreed Order.
- 3. If SNSSS Enterprises fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, SNSSS Enterprises' failure to comply is not a violation of this Agreed Order. SNSSS Enterprises shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. SNSSS Enterprises shall notify the Executive Director within seven days after SNSSS Enterprises becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by SNSSS Enterprises shall be made in writing to the Executive Director. Extensions are not effective until SNSSS Enterprises receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against SNSSS Enterprises in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to SNSSS Enterprises, or three days after the date on which the Commission mails notice of the Order to SNSSS Enterprises, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

the state of the s

A second of the s

in the second of the control of the The control of SNSSS Enterprises, Inc. dba Blalock Food Mart DOCKET NO. 2006-2024-PST-E Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Sallin

For the Executive Director

08/21/2007

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scruting of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fixes, or to a collection agency;
- Increased penalties in any future enforcement actions against mic;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me;
 and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Date

Name (Printed or typed)

Authorized Representative of

SNSSS Enterprises, Inc. dba Blalock Food Mart

PRESTATION

Instructions. Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

and the second of the second o

Garage Carlotte

And the second of the second o

the control of the section of the control of the co and the control of the state of the section of the

The Art of the Control of the Control

The control of the co

and the second of the control of the second of the second

in the second of the second of